

Notice of Allowability	Application No.	Applicant(s)	
	09/972,929	ROSE ET AL.	
	Examiner	Art Unit	
	James S. Wozniak	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the supplemental amendment filed on 11/21/2007.
2. ☒ The allowed claim(s) is/are 1,3-8,13,16,21 and 24-28 (now claims 1-15).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
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DETAILED ACTION

Response to Amendment

1. In response to the interview from 11/19/2007, the applicant has submitted an supplemental amendment, filed 11/21/2007, amending independent claims 1, 5, and 13 to include an additional step/means for increasing a periodic noise/transducer model updating time when successive changes in noise/transducer information do not exceed a threshold value in order to better place the claims into condition for allowance. In response to the amended claims and with respect to the below examiner's amendment and reasons for allowance, claims 1, 3-8, 13, 16, 21, and 24-28 are allowable over the prior art of record.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas Isaacson (*Reg. No. 44,166*) on 11/29/2007.

3. The application has been amended as follows:

In claim 1, lines 5-6, change “sample noise information or sample transducer information” to -- sample noise information and sample transducer information--.

In claim 5, line 10, change “sample noise information or sample transducer information” to -- sample noise information and sample transducer information--.

In claim 13, lines 3-4, change “a tangible computer readable storage medium” to – the computer readable memory medium--.

In claim 13, lines 8-9, change “sample noise information or sample transducer information” to -- sample noise information and sample transducer information--.

Allowable Subject Matter

4. **Claims 1, 3-8, 13, 16, 21, and 24-28** are allowable over the prior art of record.

5. The following is an examiner’s statement of reasons for allowance:

With respect to Claims 1, 5, and 13, the prior art of record, either individually or in combination, fails to explicitly teach or fairly suggest a method, system, or computer readable memory medium storing a program for re-configurable speech recognition that periodically determines parameters of transducer and background models, increases the sampling time when successive changes in sampled noise and sampled transducer information do not exceed a threshold (*Specification, Page 10*), adapts a speech recognition model using the noise and transducer models, recognizes a user voice request, translates the voice request into a HTTP

protocol request, and generates a response to the user voice request based on information from a database retrieved using the HTTP protocol request.

Although Loghmani et al (*U.S. Patent: 6,377,927*) evidences that it is well known in the art to recognize speech to generate an HTTP protocol request and use the HTTP protocol request to retrieve a response from a database (*Col. 7, Line 44- Col. 8, Line 16; and Col. 10, Lines 8-36*). Loghmani fails to mention any adaptation of a speech recognition model corresponding to an HTTP protocol request using noise and transducer information, the sampling period of which is only increased when successive changes in both sampled noise and transducer information do not exceed a threshold.

Gong (*U.S. Patent: 6,418,411*) evidences that it is well known in the art to adapt a speech recognition model based on background noise and microphone (*i.e., transducer*) characteristics (*Col. 1, Line 59- Col. 2, Line 50*). Neither Gong nor the combination of Loghmani et al and Gong, however, discloses that the periodic time for sampling the background noise is increased when successive changes in both sampled noise and transducer information do not exceed a threshold in combination with using such information to update a speech recognition model that is implemented in recognizing an HTTP protocol request.

Sejnoha (*U.S. Patent: 5,008,941*) evidences that it is well known in the art to periodically update transducer model information (*Col. 3, Lines 5-67; and Col. 6, Line 41- Col. 7, Line 17*). Neither Sejnoha nor the combination of Loghmani et al, Gong, and Sejnoha, however, discloses that the periodic time for sampling the background noise is increased when successive changes in both sampled noise and transducer information do not exceed a threshold

in combination with using such information to update a speech recognition model that is implemented in recognizing an HTTP protocol request.

The claim scope of the applicants' other related applications in view of the cited prior art has been reviewed, but does not warrant an obviousness-type doubling patenting rejection.

The dependent claims further limit independent claims containing allowable subject matter, and thus, are also allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632. The examiner can normally be reached on M-Th, 7:30-5:00, F, 7:30-4, Off Alternate Fridays.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached at (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James S. Wozniak
1/30/2008


PATRICK N. EDOUARD
SUPERVISORY PATENT EXAMINER